

S.D.N.Y. – N.Y.C.
17-cr-548
Furman, J.

MANDATE

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 15th day of December, two thousand twenty-two.

Present:

Barrington D. Parker,
Michael H. Park,
*Circuit Judges.**

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: Feb 03 2023

United States of America,

Appellee,

v.

21-2528 (L), 21-2529 (Con),
21-2530 (Con), 21-2877 (Con),
21-2878 (Con), 21-2879 (Con)

Joshua Adam Schulte,

Defendant-Appellant.

The Government moves to dismiss the appeal docketed under 21-2877 as frivolous or for summary affirmance.[†] Appellant, *pro se*, moves for appointment of counsel. Upon due consideration, it is hereby ORDERED that the Government's motion is GRANTED in part insofar as it seeks summary affirmance. *See Illarramendi v. United States*, 906 F.3d 268, 271 (2d Cir. 2018). It is further ORDERED that the motion for appointment of counsel is DENIED as moot because all these appeals have now been decided.

FOR THE COURT:

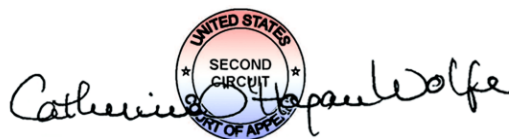
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit




* Chief Judge Livingston has recused herself from consideration of this motion. Pursuant to Second Circuit Internal Operating Procedure E(b), the matter is being decided by the two remaining members of the panel.

[†] The other appeals with which 21-2877 is consolidated were dismissed in May 2022. 2d Cir. 21-2528 (L), doc. 189 (Or.).

MANDATE ISSUED ON 02/03/2023